

### **REMARKS/ARGUMENTS**

Claims 1, 3-7, 9-14 and 26-37 are now pending in this application. Claims 1 and 26 are independent claims. Claims 1 and 26 have been amended. Claims 2, 8 and 15-25 have been cancelled.

#### ***Claim Rejections – 35 USC § 103(a)***

Claims 1, 3-7 and 9-14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sriram in view of Polan et al., US 2003/0172123 (hereinafter: Polan), in further view of Admitted Prior Art (APA) (Pending Office Action, Page 2). Claims 26-37 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Mullendore et al., USPN: 7,215,680 (hereinafter: Mullendore) in view of Sriram, in further view of APA. (Pending Office Action, Page 5). Applicants respectfully traverse these rejections.

“To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.” (emphasis added) (MPEP § 2143). “If an independent claim is non-obvious under 35 U.S.C. 103, then any claim depending therefrom is non-obvious.” (emphasis added) *In re Fine*, 837 F. 2d 1071, 5USPQ2d 1596 (Fed. Cir. 1988). Applicants state that Independent Claims 1 and 26 of the present application include elements which are not disclosed, taught or suggested by any of the above-cited references, either alone or in combination.

Independent Claims 1 and 26 generally recite elements that have not been disclosed, taught or suggested by the above-cited references, either alone or in combination with any of the above-cited references. For example, Independent Claims 1 and 26 each generally recite the following element:

“wherein a queue included in the multiple queues is ***both*** a response queue ***and*** a transfer ready queue”

The above-referenced elements of the present invention allow for combining of


queues (ex. – response and transfer ready may be combined into the same queue) for promoting increased system efficiency. (Present Application, Page 9, Paragraph 0017). However, in Sriram, each call class is directed to a separate queue/queuing circuit (Sriram, Abstract, Lines 8-9; FIG. 5). Thus, unlike the present invention Sriram *does not* teach combining response and transfer ready into a single queue as claimed above. None of the other cited references cure this defect.

Therefore, Applicants contend that none of the above-cited references, alone or in combination, either teach, disclose or suggest the above-referenced elements of Claims 1 and 26. Therefore, a prima facie case of obviousness has not been established for Independent Claims 1 and 26 of the present application. Thus, Independent Claims 1 and 26 should be allowed. Further, Dependent Claims 3-7 and 9-14 (which depend on Independent Claim 1) and Dependent Claims 27-37 (which depend on Independent Claim 26) should also be allowed.

### CONCLUSION

In light of the forgoing, reconsideration and allowance of the pending claims is earnestly solicited.

Respectfully submitted on behalf of  
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